

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Corl et al.
App. No.	: 10/658,926
Filed	: September 9, 2003
For	: APPARATUS FOR ASCERTAINING BLOOD CHARACTERISTICS AND PROBE FOR USE THEREWITH
Examiner	: Karen E. Toth
Art Unit	: 3735
Conf. No.	: 3127

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**Mail Stop Issue Fee**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Statement of Reasons for Allowance in the Notice of Allowance dated June 22, 2009, the Applicants respectfully submit the following comments.

To the extent that the Examiner's paraphrasing of the subject matter of the claims deviates from the actual language of the claims, the Applicants respectfully disagree with the Reasons for Allowance. Additionally, the Applicants wish to point out that the claims are patentable based on the combination of elements recited therein and not on any particular feature. Accordingly, to the extent that the Reasons for Allowance omit or introduce any claim elements or emphasize any particular elements, the Applicants respectfully disagree with the Reasons for Allowance.

Moreover, to the extent that the Examiner's characterization of any specific reference differs from the actual disclosures of the cited reference, the Applicants respectfully disagree. Moreover, because the claims are patentable based on the combination of elements specifically recited therein, the Applicants respectfully disagree with the Reasons for Allowance to the extent

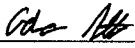
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that the Examiner characterizes any feature or combination of features recited by the claims with the specific teachings and/or lack thereof in the cited references.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 18, 2009

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